

(Approved Minutes)

**TOWN OF ROCKY HILL
CHARTER REVISION COMMISSION
MEETING OF MAY 21, 2015**

I. CALL TO ORDER

Chairman Jim Tallberg called the Wednesday, May 21, 2015 meeting to order at 6:01 p.m. in the Council Meeting Room of the Rocky Hill Town Hall, 761 Old Main Street, Rocky Hill, Connecticut.

Present: Jim Tallberg, Chairman
Phil Benoit, Vice Chairman
Rocco Sanzo, Commissioner
Neil Geldof, Commissioner
Frank Simboski, Commissioner
Jeffrey Thomen, Commissioner (arrived at 6:10 p.m.)
Kevin Clements, Commissioner

Also: Guy Scaife, Town Manager (arrived at 6:23 p.m.)
Eileen Knapp, Recording Secretary

II. PUBLIC COMMENT

No one was present to speak.

III. APPROVAL OF MINUTES

A MOTION was made by Vice Chairman Benoit to approve the minutes and working notes of the May 6, 2015 meeting with changes. Motion was seconded by Neil Geldof. All were in favor, MOTION CARRIED UNANIMOUSLY.

IV. RECEIVE COMMENTS FROM STAFF

The Commission agreed to go through the last pages of the Charter then review Staff Comments that were received today. Commissioner Tallberg said they would need to meet one more time on June 2, 2015 before holding a public hearing.

(Commissioner Thomen arrives.)

Section 904 Prohibitions: Commissioner Clements suggested adding wording to include sexual orientation the list of groups not to be discriminated against. The Personnel Director will be asked to look at this section to make sure it is in line with State Laws concerning discrimination.

Section 905 Retirement: Staff should look at the reference to Part II of Chapter 113 of the 1958 Revision of the General Statutes of the State of Connecticut and to see if the reference to the “old age and survivor’s insurance system” is still accurate.

Section 907 Conflict of Interest: There was a discussion of what constitutes a “conflict of interest” and whether or not it could include more than just a financial conflict of interest. They also discussed whether or not disclosing the conflict of interest is enough, or should the individual be prevented from acting on that issue.

(Town Manager Guy Scaife arrives.)

The Commission decided to leave this Section as is since they haven’t had any requests to change it and it has seemed to work in the past.

Section 802 Scope of Annual Budget: There was a discussion of how to change the language of the Charter so that it would require the funding of the Capital Improvement Program. Commissioner Thomen said he believes that this year the Town is trying to implement a long-term Capital Improvement Plan as part of this year’s budget process.

Town Manager Scaife said by Ordinance, anything over 6% automatically rolls over to the new year to be applied to future appropriations. There is also a provision that, in the event of an emergency, the Council can authorize an expenditure of another percentage point.

The Commission agreed that there wasn’t a feasible way to solve the problem of funding the Capital Improvement Program by changing the language in this section.

Section 803 Department Estimates: There was a lengthy discussion about changing the dates required for the Budget to be submitted. Commissioner Thomen said in researching State Statutes related to this topic he found that the Charter’s language is in conflict with the Statutes, because the Board of Education’s budget is supposed to be submitted to the Town Council, not the Town Manager. He also said the Chairman of the Board of Education would be comfortable with submitting their budget 105 days before the end of the fiscal year.

It was noted that after the Commission is done with their proposed updates, the Town Attorney should look at all CGS references to make sure they still apply.

The wording suggested by Commissioner Thomen was as follows:

“In accordance with Section 10-222 of the CGS, the Board of Education shall prepare an itemized estimate of its budget for submission to the fiscal authority for review and appropriation.”

Town Manager Scaife said he would be in favor of allowing all Departments to submit their budgets 105 days before the end of the fiscal year. The Commission agreed by consensus to allow all departments to submit their budgets 105 days before the fiscal year end.

At this point, the Commission began going over the comments submitted by Town Staff.

Section 504 Acting Town Manager: all references to an Asst. Town Manager were removed. A line was added reading, “The Town Council reserves the right to override the selection by the Town Manager by resolution appointing their selection of an Acting Town Manager.”

Section 604 Director of Public Welfare: The title was corrected to read, “Director of Human Resources.” The requirement that the appointment of the Director of Human Services must be approved by the Town Council was removed to be consistent with all other appointments. The requirement that the compensation for this position must also be approved by the Town Council was also removed.

Vice Chairman Benoit asked if the Town uses Constables. Town Manager Scaife said they do not and there are no bonds for the Constables.

Section 607 Economic Development Commission: Staff is recommending that they change all the Committee members to an odd number. The Commission had a discussion about whether or not there was a need to change the number of Commission numbers. They decided to leave the number of members at 6.

Section 609 Public Building’s Commission (PBC): The PBC did not give any additional feedback to the Commission. The issues discussed in this section were:

Increasing the threshold for creating the PBC: Currently a PBC is created for projects totaling \$250,000 or more. Staff is recommending a threshold of \$1.5 million. After a brief discussion the Commission decided on a threshold of \$1 million.

Changing the number and makeup of the PBC: Right now it is a Committee of 7 individuals. Staff is recommending a Committee of 4 individuals for a Town building and 5 individuals for school projects. The Commissioner decided to have a minimum of 5 members and a maximum of 7 members on the PBC.

Changing the term of Committee Members: The Commission discussed keeping the Commission intact for the duration of the project.

The Commission decided to send a copy of the proposed changes to this section to both the PBC and the Town Council for their input.

Section 703 Department of Police: Staff recommends deleting all references to the Department of Public Safety and Division of Civil Preparedness and creating separate sections for Department of Police, Department of Fire and Director Emergency Management. The

Commission decided to eliminate the wording, "Said officers and employees shall be appointed by the Town Manager." They also agreed to edit the line reading "The powers and duties of the Animal Control Officer, as provided in the CGS shall be vested in the Police Department in accordance with the job description as determined by the Town Manger.", leaving off "as determined by the Town Manager." Also eliminating the part of the sentence, "subject to the approval of the Town Manager", when discussing the powers of the Chief of Police.

Section 704 Department of Fire: Staff recommended eliminating the first paragraph of this Section which reads, "It is the intent of this Charter that fire protection shall continue to be provided by the volunteer companies heretofore established in the organization and conduct of which no change is contemplated. The Town, however, by this Charter, preserves the right to establish or encourage the establishment of additional volunteer companies, until the Council shall by ordinance otherwise determine." The Commission decided to leave this section in to eliminate the misconception that the Town might be trying to eliminate the volunteer fire departments. Staff is recommending that the Town Manager approve the rules for the operation of the department that are made by the Fire Chief.

Section 705 Director of Emergency Management: This section replaces the Division of Civil Preparedness. This position can be either voluntary or paid. Currently the Police Chief serves as the Director of Emergency Management and he receives a stipend.

Section 706 Department of Public Works: The name has been updated from Department of Highway and Engineering, to be in line of what the Town actually has. This will be divided into two sections, Department of Public Works and Department of Community Services.

Section 707 Department of Community Services: Commissioner Geldof suggested including language as follows, "Said Engineer shall be a Professional Civil Engineer registered to practice in the State of Connecticut, in accordance with Chapter 391 of the CGS."

Section 708 Department of Parks and Recreation: Commissioner Clements said he would like to include wording about the Tree Warden being a licensed Arborist. Town Manager Scaife said currently the Park and Recreation Director is the Tree Warden. A licensed Arborist is hired as needed. The wording suggested was, "The Park and Recreation Director has the authority to engage an Arborist as needed." Town Manager Scaife said he would get details on what the role, qualifications and requirements of the Tree Warden. The Commission agreed to leave the number of members on the Advisory Board at 6.

Section 706 Library Director: The Commission decided to also leave the number of members on the Advisory Board at 6.

Section 804 Duties of the Town Manger on the Budget: Staff is suggesting adding a line in this Section that reads "After the conclusion of the public hearing the Town Manager may present recommendations for updates to the Council." There was a discussion about this suggestion. The Commission agreed not to add this sentence because once a public hearing is closed, no additional information can be submitted. The Commission felt that Town Manager

Scaife would be able to respond with the permission of the Town Council, to statements made during the public hearing after the public has finished commenting.

Section 809 Transfers of Appropriations: The changes being recommended by Staff would allow transfers throughout the year rather than just during the last three months of the fiscal year. These transfers would still have to be approved by the Town Council through a resolution.

Section 815 Purchasing: Currently the Finance Director serves as the Purchasing Agent. The last part of this section was removed, which detailed procedures for submitting purchase requisitions. The Town would still have procedures, but they would not be included in the Town Charter.

Section 816 Purchasing Procedures: Staff is suggesting that they remove the dollar amount from this Section and allow the Town Council to set the dollar values as needed by resolution. This would give the Council more flexibility instead having the amount be fixed in the Charter. The Commission had a lengthy discussion regarding this section. Chairman Tallberg said he wasn't sure they should involve the Town Council in sending out bids for \$25,000. The Commission decided to include the dollar amount in this Section and to set the limit at \$25,000 for sealed bids.

Section 817 Contracts for Public Works: Staff is again suggesting that they remove the dollar amount from this Section and allow the Town Council to set the dollar values as needed by resolution. The Commission again decided to include in this Section, a \$75,000 limit over which sealed bids must be obtained.

V. SCHEDULE THE NEXT MEETING

The next meeting will be held Tuesday, June 2, 2015. The public hearing will be held on June 11, 2015 at 7 p.m.

The Town Attorney will be invited to the next meeting for his comments on the proposed revisions.

A MOTION was made by Commissioner Clements to adjourn the meeting at 8:50 p.m. Motion was seconded by Commissioner Sanzo. All were in favor, MOTION CARRIED UNANIMOUSLY.